



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **CHARI**

Application No: **09/671,995**

Group Art Unit: **1642**

Filed: **September 29, 2000**

Examiner: **S. Rawlings, Ph.D.**

For: **Compositions and Methods for Treating Cancer Using  
Immunoconjugates and Chemotherapeutic Agents**

Docket No: 104322.198 US1

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

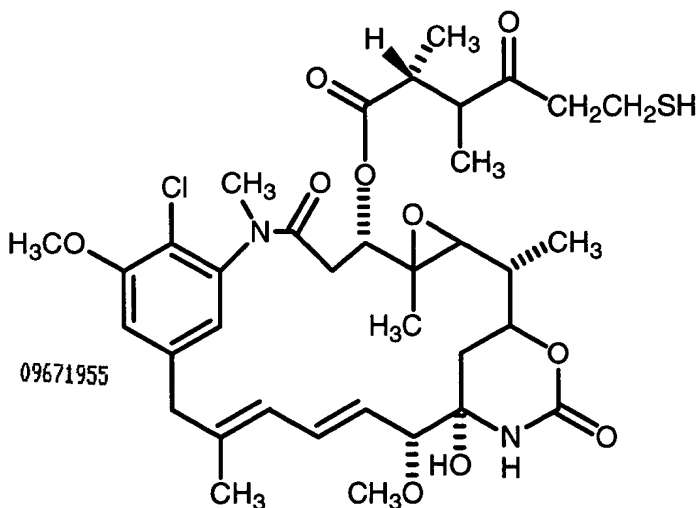
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**Declaration under 37 C.F.R. § 1.132**


I, Walter A. Blättler, Ph.D., declare the following:

1. I earned a Ph.D. in chemistry from the Swiss Federal Institute of Technology in Zurich.
2. I am the Executive Vice President of Science and Technology at ImmunoGen, Inc.
3. I have read and understood U.S. Application No. 09/671,995 (the above application).
4. I understand that the pending claims in the above application are directed, *inter alia*, to immunoconjugates that comprise one or more maytansinoid compounds.
5. The immunoconjugates in Examples 2-7 in the above application use DM1 as the maytansinoid compound. DM1 is represented by the following formula:



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6. DM1 is representative of other maytansinoid compounds, such as those described in the above application at page 5, line 6 to page 12, line 17 and page 20, line 21 to page 22, line 2; and in U.S. Patent No. 5,208,020.
7. Maytansinoid compounds have a similar core structure and the same mechanism of action. *See, e.g.*, the above application at page 5, line 6 to page 12, line 17 and page 20, line 21 to page 22, line 2; and in U.S. Patent No. 5,208,020.
8. In view of the results shown in Examples 2-7 in the above application in conjunction with the teachings in the above application at page 5, line 6 to page 12, line 17 and page 20, line 21 to page 22, line 2, it is my opinion that one skilled in the art would have expected that DM1 in Examples 2-7 could have been substituted with other maytansinoid compounds and that the same or substantially the same results would have been achieved.
9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity or enforceability of the present application or any patent issued thereon.

  
Walter Blättler, Ph.D.

Oct. 6, 2003  
Date